

**AMENDMENT UNDER 37 C.F.R. 1.116****EXPEDITED PROCEDURE****EXAMINING GROUP 2857****PATENT****Application # 10/734,010****Attorney Docket # 2002P20761US01 (1009-053)****REMARKS**

The Examiner is respectfully thanked for the thoughtful consideration provided to this application. Reconsideration of this application is respectfully requested in light of the foregoing amendments and the following remarks.

The Examiner is further thanked for indicating that each of claims 5-7, 9, and 15-17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner is also thanked for indicating that each of claims 5-7, 9, and 15-17 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, second paragraph, including all of the limitations of the base claim and any intervening claims.

Claims 1-23 are now pending in this application. Each of claims 1, 5-7, 9, 15-17, and 20-23 are in independent form.

**The Anticipation Rejections**

Each of claims 1-4, 8, 10-14, and 18-23 were rejected as anticipated under 35 U.S.C. 102(e). In support of these rejections, Cassiolato (U.S. Publication No. 2004/0117166 A1) was cited. These rejections are respectfully traversed.

The attached 37 CFR § 1.131 Declaration of Steve Hausman, an inventor of the present application, along with the previously submitted 37 CFR § 1.131 Declaration of John David Jones, an inventor of the present application, evidence a conception date prior to the filing date of Cassiolato and diligence up to the filing of the present application. Accordingly, Cassiolato is not available as a reference under 35 U.S.C. §102(e). Consequently, reconsideration and withdrawal of each rejection relying on Cassiolato is respectfully requested.

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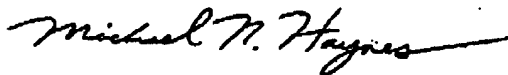
**CONCLUSION**

It is respectfully submitted that, in view of the foregoing amendments and remarks, the application as amended is in clear condition for allowance. Reconsideration, withdrawal of all grounds of rejection, and issuance of a Notice of Allowance are earnestly solicited.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 50-2504. The Examiner is invited to contact the undersigned at 434-972-9988 to discuss any matter regarding this application.

Respectfully submitted,

Michael Haynes PLC



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